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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/612,806
Filed : July 2, 2003
Applicants : Allon G. Engلمان
Larry J. Pacey
Joel R. Jaffe
Title : Gaming Machine Having Multiple Level Progressive
Feature With Player Controlled Outcome

TC/A.U. : 3713
Examiner : Not Assigned
Docket No. : 47079-00208USPT
Customer No. : 30223

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 23, 2005.

Signature:

Christine Koziol

**FIFTH INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Fifth Information Disclosure Statement be entered, and the references listed on enclosed Form PTO-1449 be considered by the Examiner and made of record. In accordance with the waiver of 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and publication for all U.S. national patent applications filed after June 30, 2003, only copies of the foreign references are enclosed.

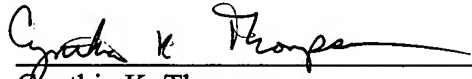
In accordance with 37 C.F.R. §§ 1.97(g) and (h), this Fifth Information Disclosure Statement is not to be construed as a representation that a search has been made, or an admission that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability, as defined in 37 C.F.R. § 1.56.

This Fifth Information Disclosure Statement is being filed prior to receipt of a first Office Action reflecting an examination on the merits and, hence, is believed to be timely in accordance with 37 C.F.R. § 1.97(b). Accordingly, no fee is believed to be due.

Should any fee be deemed necessary (except payment of the issue fee), however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0447 (47079-00208USPT). A duplicate copy of this Statement is enclosed for that purpose.

Respectfully submitted,

Date: February 23, 2005



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